



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 15, 1992

Mr. George Staples
City Attorney
City of Hurst
701 Texas Commerce Bank Building
860 Airport Freeway West
Hurst, Texas 76054

OR92-231

Dear Mr. Staples:

As the city attorney for the City of Hurst, you ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 15173.

The Hurst Municipal Court received an open records request for access to copies of moving traffic citations filed in that court "for which approval to take a Defensive Driving Course has been granted." You inquire whether the Open Records Act requires the release of these records while the cases are still pending.

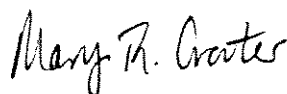
Section 2(1) of the Open Records Act defines the entities that constitute "[g]overnmental bod[ies]" under the act. Subsection 2(1)(H) provides that "the Judiciary is not included within this definition." Consequently, records of the judiciary do not fall within the ambit of the Open Records Act. *See, e.g.,* Open Records Decision Nos. 274 (1981); 25 (1974) (records of judiciary not subject to the Open Records Act, but are subject to common law and statutory rights of inspection) (copies enclosed).

Although the requested records may be subject to statutory rights of inspection, *see* Gov't Code § 29.010; Local Gov't Code § 191.006, we conclude that the requested records are not subject to the Open Records Act. The authority of this office to render open records decisions is limited to determinations as to whether requested information held by governmental bodies falls within the section 3(a)

exceptions from disclosure. We are not authorized by the act to instruct the court as to rights of access to its records. Consequently, we cannot further assist you in this matter.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR92-231.

Yours very truly,

A handwritten signature in cursive script that reads "Mary R. Crouter".

Mary R. Crouter
Assistant Attorney General
Opinion Committee

MRC/RWP/lmm

Ref.: ID# 15173

Enclosures: Open Records Decision Nos. 274, 25